

MINUTE ORDER

CASE NUMBER: CRIMINAL NO. 18-00039 LEK-KJM

CASE NAME: USA v. James Wayne Shamblin

JUDGE: Leslie E. Kobayashi

DATE: 3/25/2020

COURT ACTION: EO: COURT ORDER DENYING DEFENDANT’S EIGHTH PRETRIAL MOTION: MOTION FOR IN CAMERA REVIEW OF GRAND JURY TESTIMONY OF WITNESSES AND MOTION TO DISMISS INDICTMENT FOR FAILURE TO CORRECT FALSE TESTIMONY, FILED 1/31/20 [Dkt. No. 120]

Before the Court is Defendant James Wayne Shamblin’s (“Shamblin”) Eighth Pretrial Motion: Motion for *In Camera* Review of Grand Jury Testimony of Witnesses and Motion to Dismiss Indictment for Failure to Correct False Testimony, filed on January 31, 2020 (“Eighth Pretrial Motion”). [Dkt. no. 120.] Shamblin seeks an *in camera* review of grand jury testimony or, in the alternative, dismissal.

In response to the Eighth Pretrial Motion, Plaintiff the United States of America (“the Government”) filed its memorandum in response on February 21, 2020. [Dkt. No. 138.] The Government represents, in pertinent part, that:

Although the defendant’s Motion lacks any merit and is based on pure speculation about the evidence heard by the grand jury, in an abundance of caution and because the Government has nothing to hide, the Government is producing to the defendant transcripts of all testimony by witnesses before the grand jury in this matter. Accordingly, the defendant’s motion is now moot because the Government is providing the same transcripts to the defendant that he wanted the Court to review *in camera*.

[Mem. in Response at 2 (emphasis in original).]

The Court agrees. The Eighth Pretrial Motion is moot and thus DENIED on that basis.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager